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**MEMO ENDORSED**

April 24, 2012

**VIA FACSIMILE**  
**212-805-7907**

United States Courthouse  
U.S. District Court- Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312  
Attn: Hon. Denise L. Cote  
Attn: Gloria Rojas

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Insured:	Rite Aid of New York, Inc. v. EEOC
Docket No:	1:12 - mc- 55-P1
Our File:	904-106-01-06

Dear Judge Cote:

Our firm represents Rite Aid of New York, Inc. the above referenced matter.

Pursuant to the direction of Ms. Gloria Rojas, please allow this faxed letter to serve as our request for an adjournment of the Motions that are currently before Your Honor in the above referenced matter.

Our office was contacted by Ms. Rojas yesterday with regard to scheduling Oral Argument on Rite Aid's Motion to Quash an EEOC subpoena as well as EEOC's Cross Motion to Enforce same. We were advised that the Court would like to schedule Oral Argument for some time this week. However, the handling attorney on this matter, Mr. Keith Raven, is currently out of the office because of a family emergency and is unlikely to return until next week. We advised Ms. Rojas of the foregoing and she directed us to contact counsel for the EEOC to obtain dates that are convenient for both counsels to appear in Court for Oral Argument.

In this regard, we have spoken with counsel for EEOC, Mr. Andrew Schnitzel, who advises that the EEOC is available on May 3, 2012; May 4, 2012, May 7, 2012 and May 8, 2012. A review of our calendar reveals that May 8, 2012 would be more convenient for Mr. Raven.

Therefore, we respectfully request that Oral Argument of the above mentioned Motions be adjourned to **May 8, 2012**, or any other date that is convenient for the Court.

We thank you for the Court's time and attention to this matter.

Very truly yours,

RAVEN & KOLBE, LLP

Ryan E. Dempsey

RED/sfg

Cc:

Via E-mail

EEOC

Attn: Andrew Schnitzel, Esq.

*Oral argument before the Part I  
Judge is scheduled for  
May 8, 2012 at 10<sup>00</sup> am.*

*James Cole  
April 25, 2012*